



ENVIRONMENTAL PROTECTION AGENCY

BILLING CODE 6560-50-P

[EPA-HQ-OPP-2009-1017; FRL-9902-77]

Methiocarb, Lambda-Cyhalothrin, Permethrin and Prodiamine; Notice of Receipt of Requests to Voluntarily Cancel and Amend Registration(s) to Terminate Certain Uses

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In accordance with the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA is issuing a notice of receipt of requests by the registrants to voluntarily amend their Methiocarb, Lambda-Cyhalothrin, Permethrin and Prodiamine product registrations to delete one or more uses. EPA intends to grant these requests at the close of the comment period for this announcement unless the Agency receives substantive comments within the comment period that would merit its further review of the requests, or unless the registrants withdraw its requests. If these requests are granted, any sale, distribution, or use of products listed in this notice will be permitted after the use has been deleted only if such sale, distribution, or use is consistent with the terms as described in the final order.

DATES: Comments must be received on or before *[insert date 30 days after date of publication in the Federal Register]*.

ADDRESSES: Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2009-1017, by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the online instructions for submitting comments. Do not submit electronically any information you

consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

- *Mail:* OPP Docket, Environmental Protection Agency Docket Center (EPA/DC), (28221T), 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.

- *Hand Delivery:* To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at <http://www.epa.gov/dockets/contacts.htm>.

Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at <http://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT: John W. Pates, Jr. Pesticide Re-Evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-8195; email address: pates.john@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

This action is directed to the public in general, and may be of interest to a wide range of stakeholders including environmental, human health, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides. Since others also may be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action.

B. What Should I Consider as I Prepare My Comments for EPA?

1. *Submitting CBI.* Do not submit this information to EPA through regulations.gov or email. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD-ROM that you mail to EPA, mark the outside of the disk or CD-ROM as CBI and then identify electronically within the disk or CD-ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When submitting comments, remember to:
- i. Identify the document by docket ID number and other identifying information (subject heading, **Federal Register** date and page number).
 - ii. Follow directions. The Agency may ask you to respond to specific questions or organize comments by referencing a Code of Federal Regulations (CFR) part or section number.
 - iii. Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.
 - iv. Describe any assumptions and provide any technical information and/or data that you used.
 - v. If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.
 - vi. Provide specific examples to illustrate your concerns and suggest alternatives.

vii. Explain your views as clearly as possible, avoiding the use of profanity or personal threats.

viii. Make sure to submit your comments by the comment period deadline identified.

II. Background on the Receipt of Requests to Cancel and/or Amend Registrations to Delete Uses

This notice announces receipt by EPA of requests from registrants Wagner Regulatory Associates, Inc., on behalf of Willowood Lambda Cyhalothrin LLC, Gowan Company, Farnam Companies, Inc., Pyxis Regulatory Consulting, Inc. on behalf of Alligare, LLC. and Makhteshim Agan of North America, Inc. (MANA) to delete certain uses of Methiocarb, Lambda-Cyhalothrin, Permethrin and Prodiamine product registrations. In letters dated September 10, 2013, September 27, 2013, September 20, 2013, October 28, 2013 and October 31, 2013 the Gowan Company, Wagner Regulatory Associates, Inc., Farnam Companies, Inc. Pyxis Regulatory Consulting, Inc. and MANA requested EPA to cancel certain uses of pesticide product registrations identified in Tables 1 and 2 of Unit II., respectively. Specifically, Gowan Company voluntarily requested the removal/deletion of domestic outdoor uses and nonresidential turf uses from the Methiocarb technical label. The registrant also requested a 30-day comment period, and waived the 180-day comment period. Wagner Regulatory Associates, Inc. voluntarily requested the cancellation of indoor and outdoor residential uses from the Willowood Lambda-Cyhalothrin technical label. The registrant requested a 30-day comment period, and waived the 180-day comment period. Farnam Companies, Inc. voluntarily requested the cancellation of dog use from the Permethrin Farnam Purge Plus Insecticide label. The registrant requested a 30-day comment period, and waived the 180-

day comment period. Pyxis Regulatory Consulting, Inc. voluntarily requested the use deletion of weed control of drainage ditches in California and Arizona from the Alligare Prodiamine 4L and 65 WG Herbicide labels. The registrant requested a 30-day comment period, and waived the 180-day comment period. MANA voluntarily requested the termination of the drainage ditch uses from the Prodiamine 65WG label. The registrant requested a 30-day comment period, and waived the 180-day comment period. The requests would not terminate the last Methiocarb, Lambda-Cyhalothrin, Permethrin or Prodiamine products registered for use in the United States, or the last Methiocarb, Lambda-Cyhalothrin, Permethrin or Prodiamine pesticide products registered in the United States for these uses.

III. What Action is the Agency Taking?

This notice announces receipt by EPA of requests from registrants to delete certain uses of Methiocarb, Lambda-Cyhalothrin, Permethrin and Prodiamine product registrations. The request would delete: Methiocarb domestic outdoor uses and nonresidential turf uses from the Methiocarb technical label (EPA Reg. No. 10163-230); Lambda-Cyhalothrin indoor and outdoor residential use from the Willowood Lambda-Cyhalothrin technical label (EPA Reg. No. 88541-1); Permethrin use on dogs from the label of Farnam Purge Pesticide (EPA Reg. No. 270-279); Prodiamine use for weed control of drainage ditches in California and Arizona from label (EPA Reg. Nos. 81927-49 and 81927-36); and Prodiamine drainage ditch uses from label (EPA Reg. No. 66222-89). The affected products and the registrants making the requests are identified in Tables 1 and 2 of this unit.

Unless a request is withdrawn by the registrant or if the Agency determines that there are substantive comments that warrant further review of this request, EPA intends to issue an order amending the affected registrations.

Table 1.--Product Registrations with Pending Requests for Amendment

Registration Number	Product Name	Company	Uses to be Deleted
000270-00279	Farnam Purge Plus Insecticide	Farnam Companies, Inc.	Use on dogs
010163-00230	Mesuro Technical Insecticide	Gowan Company	Domestic outdoor and nonresidential turf uses
066222-00089	Prodiamine 65 WG Herbicide	Makhteshim Agan of North America, Inc.	Drainage ditch uses
081927-00036	Alligare Prodiamine 65 WG Herbicide	Alligare, LLC	Weed control of drainage ditches in CA and AZ
081927-00049	Alligare Prodiamine 4L	Alligare, LLC	Weed control of drainage ditches in CA and AZ
088541-00001	Willowood Lambda-Cyhalothrin Technical	Willowood Lambda Cyhalothrin, LLC	Indoor and outdoor residential use

Table 2 of this unit includes the names and addresses of record for the registrants of the products listed in Table 1 of this unit, in sequence by EPA company number. This number corresponds to the first part of the EPA registration numbers of the products listed in Table 1 of this unit.

Table 2.--Registrants Requesting Voluntary Cancellation and/or Amendments

EPA Company Number	Company Name and Address
270	Farnam Companies, Inc. 301 West Osborn Road Phoenix, AZ 85013
10163	Gowan Company P.O. Box 5569 Yuma, AZ 85366
66222	Makhteshim Agan of North America, Inc. 3120 Highwoods Blvd. Suite 100

	Raleigh, NC 27604
81927	Alligare, LLC Agent: Pyxis Regulatory Consulting, Inc. 4110 136 th St., NW Gig Harbor, WA 98332
88541	Willowood Lambda Cyhalothrin, LLC Agent: Wagner Regulatory Associates P.O. box 640 Hockessin, DE 19707-0640

IV. What is the Agency's Authority for Taking this Action?

Section 6(f)(1) of FIFRA provides that a registrant of a pesticide product may at any time request that any of its pesticide registrations be canceled or amended to terminate one or more uses. FIFRA further provides that, before acting on the request, EPA must publish a notice of receipt of any such request in the **Federal Register**.

Section 6(f)(1)(B) of FIFRA requires that before acting on a request for voluntary cancellation, EPA must provide a 30-day public comment period on the request for voluntary cancellation or use termination. In addition, FIFRA section 6(f)(1)(C) requires that EPA provide a 180-day comment period on a request for voluntary cancellation or termination of any minor agricultural use before granting the request, unless:

1. The registrants request a waiver of the comment period, or
2. The EPA Administrator determines that continued use of the pesticide would pose an unreasonable adverse effect on the environment.

The Methiocarb, Lambda-Cyhalothrin, Permethrin and Prodiamine product registrants have requested that EPA waive the 180-day comment period. Accordingly, EPA will provide a 30-day comment period on the proposed requests.

V. Procedures for Withdrawal of Requests

Registrants who choose to withdraw a request for product cancellation or use deletion should submit the withdrawal in writing to the person listed under **FOR FURTHER INFORMATION CONTACT**. If the products(s) have been subject to a previous cancellation action, the effective date of cancellation and all other provisions of any earlier cancellation action are controlling.

VI. Provisions for Disposition of Existing Stocks

Existing stocks are those stocks of registered pesticide products that are currently in the United States and that were packaged, labeled, and released for shipment prior to the effective date of the action. If the requests for amendments to delete uses are granted, the Agency intends to publish the cancellation order in the **Federal Register**.

In any order issued in response to these requests for amendments to delete uses, EPA proposes to include the following provisions for the treatment of any existing stocks of the products listed in Table 1 of Unit III.

Once EPA has approved product labels reflecting the requested amendments to delete uses, registrants will be permitted to sell or distribute products under the previously approved labeling for a period of 18 months after the date of **Federal Register** publication of the cancellation order, unless other restrictions have been imposed. Thereafter, registrants will be prohibited from selling or distributing the products whose labels include the deleted uses identified in Table 1 of Unit III., except for export consistent with FIFRA section 17 or for proper disposal.

Persons other than the registrant may sell, distribute, or use existing stocks of products whose labels include the deleted uses until supplies are exhausted, provided that

such sale, distribution, or use is consistent with the terms of the previously approved labeling on, or that accompanied, the deleted uses.

List of Subjects

Environmental protection, Pesticides and pests.

Dated: November 13, 2013.

Michael Goodis,

Acting Director, Pesticide Re-Evaluation Division, Office of Pesticide Programs.

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